

Remarks

The applicant appreciates the examiner's consideration of the application and prior art, and requests reconsideration and allowance based on the preceding amendments and these remarks.

The applicant has resolved the section 112 objection to claims 1 and 14.

The examiner rejected all of the claims as anticipated or obvious, as set forth in the office action. The applicant submits that the claims as amended are clearly allowable over the references.

In the first set of rejections beginning on page 5, independent claims 1 and 14 were rejected as obvious over Blank in view of Itoh and Borovoy. Dependent claim 5 was rejected as obvious over this same combination of references.

Independent claims 1, 14 and 27 have each been amended to include the subject matter of claim 5. Dependent claims 7 and 20 have been amended to more specifically point out what is meant by "gradual" in the claim. The claims are clearly patentable in light of the references.

These three references do not disclose or suggest the combination of elements of any of claims 1, 14 or 27. Blank is an image editing system that allows the user to select one or more objects in an image and recolor them. Itoh is a coloring methodology in which the user employs a pointer such as a mouse or stylus to select areas to be re-colored. Borovoy is a system that saves versions of computer models so that they can be displayed at a later time.

Although the applicant disagrees with the examiner's conclusion that it would have been obvious to combine these three references, it is apparent that the references, even as combined by the examiner, do not disclose all of the elements of claims 1, 14 or 27. In the claimed method and system, both the selection of the portions and the display of the portions in the sequence is

accomplished automatically. In contrast, in the Blank and Itoh references, the user must manually select the area to be colored or re-colored. Thus, in the Blank and Itoh references, neither the selecting nor the displaying step is accomplished automatically. Borovoy does not add to these two references in this regard, as clearly both Blank and Itoh are directed to devices with user interfaces, in which the user selects the portions to be re-colored, and so also inherently manually selects the re-colorization sequence. Also, the references do not disclose the automatic selection of separate portions of image according to a sequence, and then displaying the textures for the portions in that sequence.

The automatic selection according to a sequence is now defined such that at least one portion is not contiguous with another one that is displayed just beforehand. The result is that the image is not filled sequentially. The examiner states on page 8 that Blank discloses this feature. However, Blank is a manual, user-operated system. Obviously, a user can make any selection in any order. This does not disclose or suggest, however, the automated method of claim 1.

Claims 1 and 17 were also found anticipated by Cohen, and claim 5 obvious over Cohen in light of Simon. Cohen is a method of simulating pictures for young children in which portions of the picture are displayed one at a time in response to an action taken by the user, such as a key press or the movement of an input device. Nothing in Cohen discloses or suggests automatic selection of separate portions of a stored image according to a sequence, nor the automatic display of those portions in the automatically selected sequence. Rather, as set forth in column 5, lines 55 through 58 and element a of claim 1 in Cohen, both the portions to be displayed and the sequence of display is predetermined by the computer, and the computer takes the action in

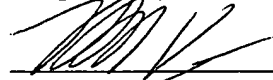
response to a user input. There is thus no suggestion of selection of portions according to a sequence, nor automatic selection, nor automatic display in the sequence.

Simon was filed on November 14, 1997. The present application is a continuation of patent 6,358,628, which is itself a continuation in part of patent 6,021,417. The '417 patent application was filed on October 31, 1997, before the filing date of Simon. The '417 patent specifically supports the subject matter of claim 5 that has now been added to the independent claims. See Fig. 4A and column 6 line 52-column 7 line 62. This subject matter thus has an earlier effective filing date than the reference, which means that the reference cannot be used to reject the claim. Accordingly, the subject matter of claim 5 is clearly allowable, making all of the independent claims clearly allowable.

For the foregoing reasons, each of the independent claims is allowable.

If for any reason this response seems incomplete, or if a conversation might help advance prosecution, please call the undersigned.

Respectfully submitted,



Brian M. Dingman

Reg. No. 32,729

Customer number 28531